



10/19/04

PATENT
450110-02761

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark John McGrath
Serial No. : 09/713,420
Filed : November 15, 2000
For : DATA PROCESSOR AND DATA PROCESSING METHOD
Examiner : James A. Fletcher
Art Unit : 2615

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Date of Deposit: October 18, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Barnet Shindelman
(Typed or printed name of person mailing paper or fee)

Barnet Shindelman
(Signature of person mailing paper or fee)

**NOTICE OF APPEAL UNDER 37 C.F.R. §1.191 FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Examiner's Decision, in the Final Office Action dated April 19, 2004, finally rejecting claims 1, 6, 7, 9-14, 16-20, 26, 28-33 and 35-42.

10/20/2004 SLUANG1 00000013 09713420

01 FC:1253 980.00 OP

10/20/2004 SLUANG1 00000013 09713420

02 FC:1401 340.00 OP

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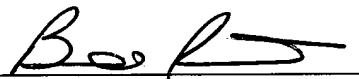
The item(s) checked below are appropriate:

- (1) ☒ This response is being filed within the third month following the expiration of the term originally set therefor. This is a petition to request a three-month extension of time. A check in the amount of \$980.00 covering the cost of the petition is enclosed.
- (2) ☒ Notice of Appeal Fee Under 37 C.F.R. §1.17(b): \$340.00
☒ Enclosed
☐ Not required (Fee paid in prior appeal)
- (3) ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.
- (4) ☒ An Oral Hearing is requested.

(Two additional copies of the Notice are enclosed herewith).

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:


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